

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<u>SALLY M. PERLOFF and</u>	:	
NEIL PERLOFF	:	
Plaintiffs,	:	
	:	
v.	:	CIVIL ACTION NO. 18-4808
	:	
TRANSAMERICA LIFE INSURANCE	:	
COMPANY,	:	
<u>Defendant.</u>	:	

ORDER

AND NOW, this 13th day of August 2019, upon consideration Defendant Transamerica's Motion to Dismiss [Doc. No. 4] and the response thereto, it is hereby

ORDERED that the motion is **GRANTED in part** and **DENIED in part** as follows:

1. The motion is **DENIED** as to Plaintiff Sally Perloff's breach of contract claim, which may proceed.
2. The motion is **GRANTED** as to all other claims by both Plaintiffs, with prejudice.
3. This case is **DISMISSED** as to Plaintiff Neil Perloff only.
4. Transamerica shall file an answer to the remaining claim in the Complaint by **September 3, 2019**.

It is so **ORDERED**.

BY THE COURT:

/s/ Cynthia M. Rufe

CYNTHIA M. RUFÉ, J.